

## **REMARKS**

This Supplemental Reply is being submitted pursuant to the request of the Office. The claims presented are inclusive of the amendments made in the previous Reply. On January 11, 2008, during a telephone conversation with the undersigned, Examiner Jarrell indicated that the pending claims would be in condition for allowance if claim 6 were canceled and claim 7 rewritten so as not to depend from claim 6. While the Applicants maintain the patentability of claim 6, it has been canceled in order to advance the case to allowance. The Applicants reserve the right to prosecute the subject matter of the claim 6 in a continuing or divisional application. Claim 7 has been rewritten so as not to depend from claim 6. Claims 17-23 are new and depend from claim 7. No new matter has been added.

### **Double Patenting Rejections**

Claim 8 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting over pending claim 1 of U.S. Application No. 10/560,476. Claims 2-4 and 8 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over pending claims 2-4 and 13-15 of U.S. Application No. 10/540,045. As discussed with the Examiner on January 11, 2008, the present application was filed in the PCT on December 23, 2002; the 476 application was filed in the PCT on June 10, 2003; and the 045 application was filed in the PCT on December 17, 2003. As the present application was filed before the 476 and 045 applications, a terminal disclaimer is not required in the present case.

### **Rejoinder**

Claims 10-13 stand withdrawn. Upon the Office's determination of the allowability of the product claims, Applicants request rejoinder of any process claims containing all the limitations of an allowed product claim.

**DOCKET NO.:** JANS-0077/JAB1732  
**Application No.:** 10/527,821  
**Office Action Dated:** August 23, 2007

**PATENT**

### **Conclusion**

The Applicants believe that the foregoing constitutes a complete response to the Office Action and submit that all pending claims are in condition for allowance. An early Office Action to that effect is, therefore, earnestly solicited.

Date: January 16, 2008

/Stephanie A. Barbosa/

Stephanie A. Barbosa

Registration No. 51,430

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439